

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-27 were pending in the instant application at the time of the outstanding Office Action. Independent Claims 1, 14 and 27 have been rewritten. It should be noted amendments to these claims are not in acquiescence of the Office's position on the allowability of the claims, but are merely to expedite prosecution, and Applicants intend no change in scope of the claims by the changes made by this amendment.

Claims 1-2, 5-7, 14-15, 18-20 and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gupta et al. (hereafter "Gupta"). Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

Gupta does not disclose choosing a URL to one of a predetermined candidate set of cache servers. The chosen cache server in Gupta is the one, among all the cache servers, which happens to have the least latency or load at that moment. In the present invention, a cache server is chosen from a candidate set of cache servers at least on the basis of latency. This candidate set of cache servers are predefined. Accordingly, Independent Claims 1, 14 and 27 all recite "defining a plurality of proxy caches into which a URL may be hashed". As such, Gupta does not anticipate the present invention.

Claims 3, 8-11, 16 and 21-24 stand rejected under 35 USC 103(a) over Gupta in view of Ross. Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

The Office states that Ross teaches hashing URL and mapping the hashed URL into partitions and forming sibling caches into cache partitions. *Office Action* at 4. Applicants respectfully submit this is an incorrect understanding of Ross. At presently best understood, Ross discloses hashing URL and mapping the hashed URL into hash space of N set, where N is the number of sibling caches. A URL can be hashed into only one sibling cache, not multiple sibling caches. Furthermore, a sibling cache is assigned to a single partition. Hence, a URL is hashed only to one hash partition. Ross does not disclose forming a candidate set of nearby cache partition and allowing a URL to be hashed into one of the candidate set of hash partitions.

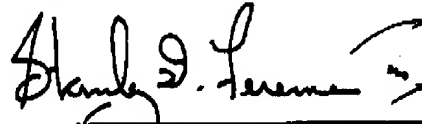
A 35 U.S.C. 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an expectation of success. Not only is there no motivation to combine the references, no expectation of success, but actually combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

Applicants acknowledges that Claims 4, 12, 13, 17, 25 and 26 were indicated by the Examiner as being allowable if rewritten in independent form. Applicants reserve the right to file new claims of such scope at a later date that would still, at that point, presumably be allowable.

In view of the foregoing, it is respectfully submitted that Claims 1, 14 and 27 fully distinguish over the applied art and is thus are in condition for allowance. By virtue of dependence from what are believed to be allowable independent Claims 1 and 14, it is respectfully submitted that Claims 2-13 and 15-26 are also presently allowable.

In summary, it is respectfully submitted that the instant application, including Claims 1-27, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited.

Respectfully submitted,



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